

Minutes of a Regular Meeting Town of Los Altos Hills PLANNING COMMISSION

Approved 9/06/2007

THURSDAY, August 2, 2007, 7:00 p.m.
Council Chambers, 26379 Fremont Road
cc: Cassettes (1) #8-07

1. ROLL CALL AND PLEDGE OF ALLEGIANCE

The regular meeting of the Planning Commission was called to order at 7:00 p.m. in the Council Chambers at Town Hall.

Present: Chairman Collins, Commissioners Carey, Cottrell and Harpootlian

Absent: Commissioner Clow

Staff: Debbie Pedro, Planning Director; Brian Froelich, Associate Planner; Nicole Horvitz, Assistant Planner; Victoria Ortland, Planning Secretary

2. REORGANIZATION OF THE PLANNING COMMISSION

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Commissioner Harpootlian and seconded by Commissioner Cottrell to nominate Commissioner Bart Carey as Chairman for a one-year term.

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Chairman Carey and seconded by Commissioner Collins to nominate Commissioner John Harpootlian as Vice-Chairman for a one-year term.

3. PRESENTATIONS FROM THE FLOOR

Commissioner Collins expressed gratitude to the Planning Commission members for their support provided during her term as Chairman. She presented Chairman Carey with some humorous items to welcome him as Chairman.

Chairman Carey requested that applicant comment time be limited to 10 minutes, public comment time be limited to 3 minutes and Town Committee comments be heard following staff presentations. This was agreeable to all Commissioners.

4. PUBLIC HEARINGS

- 4.1 LANDS OF KILLIAN & LEE, 27961 Central Drive; File #216-06-ZP-SD; A request for a Site Development Permit for a relocated driveway and a grading policy exception for the driveway. CEQA Review: Categorical Exemption per CEQA Guidelines Section 15304 (f). (Staff-Nicole Horvitz)

Ex Parte Contacts Policy Disclosure: Commissioner Harpootlian met with Mr. Killian on the property.

Nicole Horvitz, Assistant Planner, presented the staff report stating that the application was for the relocation of a driveway 120 feet east of the current driveway. The project had been continued due to neighbor concerns over drainage issues. The applicant worked with staff and neighbors to redesign the drainage system to collect water in a catch basin then direct that flow to an existing storm drain pipe. In condition of approval number 6, instead of the uplights proposed for the driveway columns, staff had recommend installation of downlights or use of frosted glass.

OPENED PUBLIC HEARING

Waidy Lee, Applicant, expressed the need for the new driveway for safety reasons. The proposed driveway was planned to remove as few trees as possible. She asked if the appeal period could be waived to begin the project because the application had been continued and the grading moratorium begins on October 15th.

CLOSED PUBLIC HEARING

Commissioner Collins supported the proposal and appreciated that the applicant had worked with the neighbors to come to a reasonable solution.

Commissioner Harpootlian supported the proposal and commended the applicant for changing the location for the storm drain. He felt the appeal period length was firm. He supported allowing the planning staff to make appropriate changes and recommendations to the proposed uplights as stated in the conditions of approval.

Commissioner Cottrell supported the application and asked staff if it was possible to waive the 22 day appeal period.

Debbie Pedro, Planning Director, confirmed that the effective date of an action taken by the Planning Commission is set by Municipal Code. The action is effective on the 23 day after the Planning Commission's decision.

Chairman Carey supported the project and thanked Ms. Lee for addressing the concerns of the neighbors.

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Commissioner Cottrell and seconded by Commissioner Collins to approve the requested relocation of the driveway and the grading policy exception.

The approval is subject to a 22 day appeal period.

- 4.2 LANDS OF WESSBECHER, 11021 Magdalena Road; File #141-07-ZP-SD; A Site Development Permit for a landscape screening plan for an 8,632 square foot new residence approved on September 10, 2002. CEQA Review: Categorical Exemption per Section 15304 (b). (Staff-Brian Froelich)

Ex Parte Contacts Policy Disclosure: Commissioner Harpootlian and Cottrell had visited the site.

Brian Froelich, Associate Planner, stated that the application required review by the Planning Commission as a condition of approval from the grading project subsequent to approval of the new residence in 2002. Screening was installed prior to issuance of the building permit in response to a neighbor's request and concerns have continued with the landscape screening plan. Proposed landscape screening included sixty-three 5 gallon English laurel shrubs to be planted on the east and west property line, seven 24" box olive trees and two 36" box sycamore trees by the entrance of the home. The neighbor has requested fast growing trees that grow to 25 feet tall along the east property boundary. The proposed English laurels appear to fulfill the request. The Environmental Design Committee had reported that no additional screening was needed. The neighbor claimed the existing fence was not on the property line. After examination of the property survey it appears the fence is entirely on his property and would be a civil issue.

Sandy Humphries, Environmental Design Committee, commented that the Committee felt that the proposed placement of the English laurel shrubs would displace native vegetation that presently provides adequate screening. To remove the current native plants and replace them with English laurel shrubs was unnecessary.

Commissioner Collins expressed concern over the increased demand for water resources that would be required to establish and maintain the new English laurel shrubs for screening purposes when the native plants were established, thriving and providing screening already.

OPENED PUBLIC HEARING

Ken Schoppet, Landscape Architect, stated that the English laurels were recommended for the shady areas to screen the fence. He said the laurels could be removed from the plan and the three large oaks would provide dense screening as they grew.

Sandy Humpries, Environmental Design Committee, felt that toyons plants could be installed to supplement the current vegetation if needed.

Ernest Solomon, Elena Road and Purissima Hills Water District, commented that the Water District would greatly appreciate any effort by the Town to reduce water consumption for landscaping.

CLOSED PUBLIC HEARING

Commissioner Harpootlian agreed with the Environmental Design Committee regarding the native screening currently on site and did not see the need for the amount indicated on the plan. He would, however, allow the applicants to plant what they wanted.

Commissioner Cottrell approved the plan but did not want the native vegetation eliminated and felt the removal of the English laurels from the plan was up to the applicant. He stated that the Planning Commission cannot require the placement of a fence.

Commissioner Collins felt the number of shrubs on the plan was excessive considering the amount of screening provided by the existing native vegetation. The amount of water required by the plantings would be high and suggested that the number of 5 gallon shrubs be reduced by half.

Chairman Carey agreed with his fellow Commissioners on reduction of the number of English laurel shrubs and wanted a requirement added to preserve the native vegetation along the property line.

MOTION SECONDED, AMENDED AND PASSED BY CONSENSUS: Motion by Commissioner Cottrell and seconded by Commissioner Harpootlian to approve the site development permit for the landscape screening plan. The English laurel will not be required to be installed and the existing native vegetation will be preserved with exceptions (i.e. poison oak). The applicant will be allowed to work with planning staff to approve installation of other needed shrubs at the property line.

The approval is subject to a 22 day appeal period.

- 4.3 LANDS OF FREMONT HILLS COUNTRY CLUB (American Cancer Society), 12889 Viscaino Place; File #149-07-CUP; A request for a Conditional Use Permit Amendment for a benefit event hosted by the American Cancer Society. The event is planned for Saturday, September 29, 2007 from 6 p.m. until 11 p.m. The event will provide food and entertainment for the estimated 600 guests. CEQA Review: Categorical Exemption per Section 15304 (e). (Staff-Brian Froelich)

Ex Parte Contacts Policy Disclosure: none

Brian Froelich, Associate Planner, presented the staff report explaining that the applicant had requested an amendment to the Fremont Hills Country Club Conditional Use Permit conditions and also permission for a special event coordinated by the Grandview League. The special event for the benefit of The American Cancer Society would have approximately 700 to 900 participants and utilize the equestrian arenas of the Country Club. The 147 on-site parking spaces would be used for VIP guests and volunteers. Primary parking was planned off-site at SAP Industries in Palo Alto with shuttle service to the Country Club and the 50 parking spaces at the Little League ball field lot were requested for volunteer overflow parking. Santa Clara County Sheriff's Department offered to provide 2 on-site traffic control officers for arrival and departure times and the event coordinators had contracted with a private parking company to provide 11 to 13 employees. Existing Conditional Use Permit condition number 13 limits special events attendance to 200 participants. A change in that condition to allow more than 200 persons is requested. Special events with greater than 200 participants would require a written request to the planning department at least 60 days prior to the event and limited to one such event per year. Property owners within 500 feet would be notified and the application be scheduled for public hearing.

Chairman Carey asked if Special Events could be approved on a case by case basis instead of changing the Country Club's conditions of approval.

Debbie Pedro, Planning Director, explained that without the change in the condition, the Country Club would be in violation of the Conditional Use Permit approval.

OPENED PUBLIC HEARING

Cheryl Matthews, Fremont Pines Country Club Board Member, requested an increase in the number of attendees allowed at Country Club functions. The Club receives many inquiries for weddings, bar mitzvahs and other special occasions. The main building will accommodate 200 people but the 17 acre grounds could allow for an outdoor event of 400 to 500 persons.

Bess Wiersema, Chair of the California Barron's Ball, explained that the Ball is an annual event of the Grandview League to support the American Cancer Society. The Ball is in its eleventh year and has helped raise almost 10 million dollars. Approximately 400 residences had been notified by mail and a "Good Neighbor Day" with an information table had been held during a Fremont Hills Country Club function. Ms. Wiersema requested on behalf of the American Cancer Society that the planning fees and deposit be waived. She suggested that a process be developed to guide applicants with a submittal of this type.

Commissioner Collins asked about parking and traffic congestion.

Ms. Wiersema explained that with the exception of the VIP's, tickets will direct attendees to the SAP parking lot. Valet and shuttle service will be provided for both types of ticket holders.

Commissioner Harpootlian requested more information on the neighborhood outreach booth at the Country Club.

Ms. Wiersema said a real estate index was used to provide approximately 400 addresses in the neighborhood for mailing a letter explaining the proposed event and offering the opportunity for residents to ask questions at the Good Neighbor table at the Country Club. Twelve owners of horses being boarded at the stable attended.

CLOSED PUBLIC HEARING

Commissioner Cottrell stated that the Town is a residential community and recalled one other application of this type during his time on the Planning Commission. He had attended a Cattleman's Barron Ball and found it to be an orderly and well managed event. The neighbors had been notified for this application and no objections have been received. He would recommend an approval to the City Council. There is precedence for allowing two events per year as granted to Maple Leaf Farms.

Commissioner Collins supported the application and was looking forward to attending the Barron's Ball. She did not support allowing two special events per year.

Commissioner Harpootlian supported the application and felt he could support allowing either one or two special events per year.

Chairman Carey supported the application with the language as proposed by staff. He supported allowing one special event per year.

MOTION SECONDED, AMENDED AND PASSED BY CONSENSUS: Motion by Commissioner Cottrell and seconded by Commissioner Collins to approve the request for the Conditional Use Permit amendment to allow a one time permit for special events at the Fremont Hills Country Club facility and to allow a one time event for the American Cancer Society on Saturday, September 29, 2007. Included are the conditions in attachment 1A.

This recommendation will be forwarded to be heard at a future City Council meeting.

5. OLD BUSINESS-none

6. NEW BUSINESS

6.1 Quarterly Solar Report

Nicole Horvitz, Assistant Planner, presented the Solar Report for the second quarter for 2007. A total of 11 solar permits were issued, 10 roof mounted systems and 1 ground mounted with solar trackers (Town Hall system). Fourteen percent of new residences took advantage of the solar bonus to gain development area within the last year.

Commissioner Harpootlian asked if all applications were for photovoltaic systems.

Nicole Horvitz confirmed that all permits were issued for photovoltaic systems.

6.2 Discussion on Water Meters for Landscaping

Commissioner Cottrell expressed concern over excessive water usage in Town. He suggested that one water meter for landscaping use and a second water meter for use in the home could be installed. This would provide documentation on water consumption and provide a way to reduce water usage if necessary.

Brian Froelich, Associate Planner, replied that Patrick Walter, Director of Purissima Hills Water District, had been consulted about the feasibility of installing two water meters. Mr. Walter had forwarded a copy of the District policy that prohibits more than one meter, except for second units. There are about 10 properties in Town that have two water meters, those having been installed during the 1960's in the Pink Horse Ranch Subdivision.

Chairman Carey suggested that perhaps the Water District's policy allowing second water meters could be revisited.

Commissioner Cottrell felt that during a drought the Water District could limit use of water for landscaping through the second water meter.

Debbie Pedro, Planning Director, suggested that the Water Conservation Committee may be interested in reviewing this idea.

Earnest Solomon, Purissima Hills Water District, stated that although he could not make official statements for the Board, there is an increased rate structure for water shortage emergencies.

Chairman Carey asked Mr. Solomon his opinion on the installation of second meters for landscape use.

Mr. Solomon replied that additional time would be required from the Water District staff to read the meters.

Commissioner Collins explained that the Planning Commission was trying to support the effort of water conservation.

Chairman Carey suggested making a formal request to the Purissima Hills Water District Board to consider the installation of a second water meter for landscape use.

Commissioner Cottrell stated that a separate means to control water used for landscaping was beneficial to the water supplier.

Earnest Solomon suggested that a presentation be made to the Purissima Hills Water District Board at a future meeting.

MOTION SECONDED AND PASSED BY CONSENSUS: Motion by Commissioner Cottrell and seconded by Commissioner Harpootlian to forward a recommendation to the Purissima Hills Water District Board to consider allowing installation of a second water meter on properties as a method to monitor and control landscape water usage.

Chairman Carey asked staff to investigate the policy followed by California Water Company regarding second water meters.

Resident, Newbridge Drive, suggested that education may be an important part in helping to reduce water consumption. An arborist has installed for his property an internet based irrigation system that is managed online. This system meters out water depending on the type of vegetation and the weather conditions. He has seen the water consumption for his property decrease by 40 percent.

7. REPORT FROM THE CITY COUNCIL MEETING

- 7.1 Planning Commission Representative for July 12th-Chairman Collins
- 7.1 Planning Commission Representative for July 26th-Commissioner Clow
- 7.3 Planning Commission Representative for August 9th-Cancelled
- 7.4 Planning Commission Representative for August 23rd-Commissioner Carey

8. APPROVAL OF MINUTES

8.1 Approval of June 28, 2007 minutes

PASSED BY CONSENSUS: To approve the June 28, 2007 minutes.

9. REPORT FROM FAST TRACK MEETING – JULY 3, JULY 10, JULY 17 AND JULY 24, 2007

- 9.1 LANDS OF GHOSH, 12866 La Cresta Drive, File #24-07-ZP-SD-GD; A request for a Site Development Permit for a new 4,992 square foot two story residence (maximum height: 24'5") with a 3,182 square foot basement and a 1,071 square foot roof deck. CEQA Review: Exempt per Section 15303(a). (Staff-Nicole Horvitz) (Approved with conditions).
- 9.2 LANDS OF RENSKI, 12170 Dawn Lane, File #54-07-ZP-SD-GD; A request for a Site Development Permit for a 5,869 square foot new residence (maximum height: 25'). The proposal includes a 2,511 square foot basement. CEQA Review: Exempt per Section 15303 (a). (Staff-Brian Froelich) (Approved with conditions).
- 9.3 LANDS OF ASKARINAM, 25838 Springhill Road, APN 175-03-028 and Springhill Road, APN 175-03-019, File #57-07-LM; A request for a lot merger of two existing parcels into one 1.75 -acre parcel. CEQA Review: Exempt per Section 15305. (Staff-Nicole Horvitz) (Approved with conditions).
- 9.4 LANDS OF KUPPALLI, 14414 Liddicoat Circle, File #151-07-ZP-SD; A request for a Site Development Permit for a 1,528 square foot major addition and remodel (maximum height: 26'). CEQA Review: Exempt per Section 15301 (e). (Staff-Brian Froelich) (Approved with conditions).
- 9.5 LANDS OF LANG AND GALLAGHER, 26070 Newbridge Drive and 13600 Golden Hill Court, File # (88-07-LLA); A request for a Lot Line Adjustment. The proposal would increase the size of the property at 26070 Newbridge Drive (Lang) from 1.03 to 1.58 acres. The proposal would reduce the size of the property at 13600 Golden Hill Court (Gallagher) from 1.89 acres to 1.34 acres. CEQA Review: exempt per 15305 Class 5 (a). (Staff-Brian Froelich) (Approved with conditions).
- 9.6 LANDS OF KOMO, 10250 Magdalena Road, File #48-07-ZP-SD-GD; A request for a Site Development Permit for a 4,729 square foot new residence with a 2,087 square foot basement (maximum height: 27'). CEQA Review: Exempt per Section 15303 (a). (Staff-Brian Froelich) (Approved with conditions).

- 9.7 LANDS OF ROSSI, 24800 Tiare Lane; File #93-07-ZP-SD-GD; A request for a Site Development Permit for a new 4,996 sq. ft. two story residence with a loft (maximum height 30'6") CEQA review-Categorical Exemption per Section 15303(a) (Staff-Nicole Horvitz) (Approved with conditions).

10. REPORT FROM SITE DEVELOPMENT MEETING –JULY 10 AND JULY 17, 2007

- 10.1 LANDS OF ZAMANI, 13241 Burke Road, File #44-07-ZP-SD; A request for a Site Development Permit for a landscape screening plan and 1,100 square foot pool. CEQA Review: Categorical Exemption per 15304 (b). (staff-Nicole Horvitz) (Approved with conditions).
- 10.2 LANDS OF HSU, 25309 La Loma Drive, File #49-07-ZP-SD; A request for a Site Development Permit for a new 450 square foot deck and patio. CEQA Review: Categorical Exemption per 15303 (e). (Staff-Brian Froelich) (Approved with conditions).

11. ADJOURNMENT

The meeting was adjourned by consensus at 8:54 p.m.

Respectfully submitted,

Victoria Ortland
Planning Secretary